

### REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

Initially, the Examiner's attention is drawn to the Information Disclosure Statement filed March 10, 2003. The Examiner is respectfully requested to consider this Information Disclosure Statement and the references cited therein.

In response to the Examiner's indication that Figure 2 should be designated by a legend such as --Prior Art--, provided herewith is a new formal drawing for Figure 2 which designates this figure as --Prior Art--.

In response to the Examiner's comments with regard to the specification as expressed on pages 2-3 of the Office Action, the specification has been reviewed and revised to address the concerns noted by the Examiner as well as to generally improve the U.S. form thereof. A substitute specification and abstract are provided. No new matter has been added by the substitute specification and abstract.

In response to claim objections as expressed on pages 3-4 of the Office Action and the 35 U.S.C. 112, second paragraph, rejections issued by the Examiner, by the current Amendment claims 1-6 have been cancelled and claims 7-22 have been added. New claims 7-22 have been drafted taking into account the claim objections and 35 U.S.C. 112, second paragraph, rejections, are believed to be free of the bases for these objections and rejections, and are otherwise believed to be in compliance with 35 U.S.C. § 112, second paragraph.

The characterization of the invention as expressed by the Examiner with regard to the 35 U.S.C. § 112, second paragraph, rejection in the middle of page 4 of the Office Action and the 35 U.S.C. § 102(f) rejection is not believed to be entirely accurate. In this regard, while it is true that the original specification describes the invention in terms two paints, the essence of the invention, as will become clear, is how characteristics of a paint are utilized to perform a function with regard to reuse of that paint.

Specifically, though the instant invention pertains to a recycling system for aqueous paints in which plural aqueous paints having different paint colors can be used, at the heart of the invention

is how characteristics of a paint are used to recycle this paint. In this regard, contrary to the prior art recycling system as depicted in Figure 2, in which paint of a single color is allowed to be processed by this system, the recycling system of the instant invention allows for paints of plural colors to be processed by the same system. This is so because the instant invention does not classify or characterize paints based on their colors, but rather on a combination of pigments contained in the paints.

As an example, please consider the following. Paint is generally prepared from base colors, such as black and white. A combination of black and white creates gray; however, there are many shades of gray from dark gray to light gray. Light gray and dark gray are different colors but are composed of the same base colors or pigments, i.e. black and white. With the instant invention, even if the colors of the paint are different, such as being "light gray" or "dark gray", these paints are treated the same so long as their base colors or pigments are the same.

This is contrary to what is taught in the prior art system as depicted in Figure 2, in which the system shown therein is only to be used for treating a paint of a single color, e.g. light gray. In the prior art, if paint of a second color, e.g. dark gray, is to be treated a second system needs to be used, and if paint of a third color is to be treated, e.g. medium gray, a third system is to be used, etc. Accordingly, in the prior art for each color of paint to be recycled a system as shown in Figure 2 is required. That is, in the prior art there is a one-to-one correspondence between a recycling system and a paint color. This results in a drawback of a large amount of space being required to recycle paints of many colors.

The instant invention resolves this drawback by classifying paints to be reused not according to their color, but rather according to the pigments used to make up that color. For example, if pigments a, b and c can be used to make colors 1, 2 and 3, then a single system, such as that identified as "Equipment Group A" in Figure 2, for example, could be used for all of the colors 1, 2 and 3. "Equipment Group B" as shown in Figure 1 would be used not for colors that different than colors 1, 2 and 3 per se, but rather for paints that have a combination of pigments that is different than the combination of a, b and c. This is contrary to what is taught in the prior art, wherein a single recycling system would have to be used for each color. Thus, with the instant invention a single

recycling system including a single set of apparatus could be used to treat paints of three different colors, for example, thereby saving space with regard to three recycling systems including three separate sets of apparatus that would be required to treat paints of three different colors, as with the prior art.

This inventive concept is believed to be adequately brought out in independent claim 7. In this regard, claim 7 recites

A method of using aqueous paint, comprising:  
coating onto an object an aqueous paint having  
a color;  
collecting as excess paint, **irrespective of said color  
and in accordance with a classification of said aqueous  
paint based on identity of a combination of pigments  
contained in said aqueous paint**, said aqueous paint that  
is not coated onto said object; and  
reusing said excess paint (emphasis added).

This method is not taught or suggested by either Spangler or Hayahara.

In this regard, Spangler discloses the basic concept of the prior art in which a single system is used for each color of paint, and does not disclose using a single system for a plurality of colors of paints. Specifically, not only does Spangler nowhere expressly state that the paint thereof is to be classified based on a combination of pigments thereof, but teaches that classification is to be made on the color of the paint. Specifically, in column 2, lines 46-50, it is expressed that more paint booths could be added as needed to maintain a separation of the paint compounds by color. Similarly, in column 2, lines 61-64 it is stated that the paint compounds are to be segregated by color.

Thus, Spangler teaches considering the color of paint in segregating and keeping separate paints of different colors, whereas with regard to the instant invention the exact opposite is true in that the color of paint is not considered in determining how paints of different colors are to be treated. Thus, claim 7 is not anticipated by Spangler.

Hayahara merely discloses computer color matching devices, which are described in the specification to be known in the art. Hayahara does not disclose or suggest the concept of not

considering color with regard to how paints of different colors are to be treated. Thus, claim 7 is also not rendered obvious over a combination of Spangler and Hayahara.

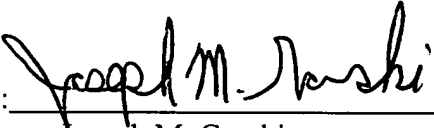
Accordingly, claims 7-22 are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicant's undersigned representative by telephone to resolve such issues.

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